## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

	X
In re:	Chapter 11
LEHMAN BROTHERS HOLDINGS, INC., et	al., Case No. 08-13555 (JMP)
Debtors.	(Jointly Administered)

# NOTICE REGARDING TRANSFER OF CLAIM NO. 2988 PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 3001(e)(2)

To: Longacre Opportunity Fund, L.P. 810 Seventh Avenue, 33<sup>rd</sup> Floor

New York, NY 10019

Attention: Vladimir Jelisavcic Telephone: 212-259-4305

Your right, title, and interest in and to the unsecured claim evidenced by proof of claim no. **2988**, date-stamped **February 13, 2009**, against Lehman Brothers Commodity Services Inc., a debtor in the above-captioned case, in the total filed amount of **\$1,214,450.00** (the first page of which proof of claim is attached hereto as <u>Exhibit A</u>), pursuant to the terms of the Evidence of Transfer of Claim attached hereto as <u>Exhibit B</u>, to R3 Capital Partners Master, L.P. ("<u>Transferee</u>"), its successors and assigns, with offices located at:

R3 Capital Partners Master, L.P. 40 East 52<sup>nd</sup> Street, 4<sup>th</sup> Floor New York, NY 10022 Attention: Ross Rosenfelt Telephone: 212-810-8573

No action is required if you do not object to the transfer of your claim. However, IF YOU OBJECT TO THE TRANSFER OF YOUR CLAIM, WITHIN 20 DAYS OF THE DATE OF THIS NOTICE YOU MUST FILE A WRITTEN OBJECTION WITH:

United States Bankruptcy Court Southern District of New York One Bowling Green New York, New York 10004-1408 08-13555-mg Doc 5755 Filed 11/06/09 Entered 11/06/09 17:13:30 Main Document Pg 2 of 7

SEND A COPY OF YOUR OBJECTION TO Refer to Internal Control No in IF YOU FILE AN OBJECTION, A HEARIN IF YOUR OBJECTION IS NOT TIMELY FI SUBSTITUTED ON OUR RECORDS AS TO	your objection. IG WILL BE SCHEDULED. ILED, THE TRANSFEREE WILL BE
	Clerk of the Court
FOR CLERK'S OFFICE USE ONLY: This notice was mailed to the first name	d party, by first class mail, postage prepaid on
INTERNAL CONTROL NO Copy to Transferee: Claims Agent Noticed:	
-	Deputy Clerk

## **EXHIBIT A**

**Proof of Claim No. 2988** 

08-13555-r	mg Doc 5755 Filed 11/06/09 Entered 11/06/09 17:13	3:30 Main Document	
B 10 (Official Form	10) (12/07)		
UNITED STAT	ES BANKRUPTCY COURT Southern District of New York	PROOF OF CLAIM	
Name of Debtor: Lehman Brother	s Commodity Services Inc.	Case Number: 08-13885	
NOTE: This form	m should not be used to make a claim for an administrative expense arising after the commencement administrative expense may be filed pursuant to 11 U.S.C. § 503.	of the case. A request for payment of an	
Name of Creditor (the	e person or other entity to whom the debtor owes money or property):	☐ Check this box to indicate that this	
Westar Energy, Inc.  Name and address where notices should be sent:		claim amends a previously filed claim.	
Westar Energy, Inc., Attn: Legal Department, 818 S. Kansas Avenue, Topeka, KS 66612		Court Claim Number:(If known)	
Telephone number: (785) 575-8128		Filed on:	
Name and address wh	nere payment should be sent (if different from above):	☐ Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.	
Telephone number:		☐ Check this box if you are the debtor	
1. Amount of Claim	as of Date Case Filed: \$ 1,214,450.00	or trustee in this case.  5. Amount of Claim Entitled to	
If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.		Priority under 11 U.S.C. §507(a). I any portion of your claim falls in one of the following categories, check the box and state the	
If all or part of your c	laim is entitled to priority, complete item 5.	amount.	
☐ Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		Specify the priority of the claim.	
2. Basis for Claim:services performed (See instruction #2 on reverse side.)		☐ Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B)	
	f any number by which creditor identifies debtor: 4079	☐ Wages, salaries, or commissions (up	
3a. Debtor may have scheduled account as:  (See instruction #3a on reverse side.)  4. Secured Claim (See instruction #4 on reverse side.)  Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested		to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier – 11 U.S.C. §507 (a)(4).	
information.  Nature of propert	y or right of setoff: □ Real Estate □ Motor Vehicle □ Other	☐ Contributions to an employee benefit plan – 11 U.S.C. §507 (a)(5).	
Describe:  Value of Property:\$ Annual Interest Rate%  Amount of arrearage and other charges as of time case filed included in secured claim,		☐ Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. §507 (a)(7).	
	• • • • • • • • • • • • • • • • • • • •	☐ Taxes or penalties owed to	
Amount of Secure	ed Claim: \$ Amount Unsecured: \$	governmental units – 11 U.S.C. §507 (a)(8).	
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.  7. Documents: Attach redacted copier orders, invoices, itemized statement: You may also attach a summary. At a security interest. You may also att  OR-13555 (JMP) 0000002988		☐ Other — Specify applicable paragraph of 11 U.S.C. §507 (a)().  Amount entitled to priority:	
DO NOT SEND ORIGINAL DOCU ED AFTER SCANNING.		\$* *Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with	
If the documents are not available, please capitalit.		respect to cases commenced on or after the date of adjustment	
Date: 01/26/2009	Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the other person authorized to file this claim and state address and telephone number if differentiations.	E POR COURTUSE DAU	

Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.

1 3 2009

Greg Umscheid, Executive Director, Risk Marage

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18USC. \$5152 and 37URT, SDNY

## **EXHIBIT B**

**Evidence of Transfer of Claim** 

#### EVIDENCE OF TRANSFER OF CLAIM

TO:

United States Bankruptcy Court Southern District of New York

One Bowling Green New York, NY 10004

Attn: Clerk

AND TO:

Lehman Brothers Commodity Services Inc. ("Debtor")

Case No. 08-13885

Claim #: 2988

LONGACRE OPPORTUNITY FUND, L.P., as Assignee of Westar Energy, Inc., its successors and assigns ("Seller"), for good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, and pursuant to the terms of a Pass Through Assignment of Claim dated as of the date hereof, does hereby certify that it has unconditionally and irrevocably sold, transferred and assigned unto:

#### R3 CAPITAL PARTNERS MASTER, L.P.

40 East 52<sup>nd</sup> Street, 4<sup>th</sup> Floor New York, NY 10022

Tel: 212-810-8573 Attn: Ross Rosenfelt

its successors and assigns ("<u>Buyer</u>"), all rights, title and interest in and to the claim of Seller, including all rights of stoppage in transit, replevin and reclamation, in the claim docketed as Claim No. 2988, filed in the amount of \$1,214,450.00 (the "<u>Claim</u>") against the Debtor in the bankruptcy case referenced above.

Seller hereby waives any objection to the transfer of the Claim to Buyer on the books and records of the Debtor and the Bankruptcy Court, and hereby waives to the fullest extent permitted by law any notice or right to a hearing as may be imposed by Rule 3001 of the Federal Rules of Bankruptcy Procedure, the Bankruptcy Code, applicable local bankruptcy rules or applicable law. Seller acknowledges, understands and agrees, and hereby stipulates that an order of the Bankruptcy Court may be entered without further notice to Seller transferring to Buyer the Claim and recognizing the Buyer as the sole owner and holder of the Claim.

You are hereby directed to make all future payments and distributions, and to give all notices and other communications, in respect of the Claim to Buyer.

IN WITNESS WHEREOF, the undersigned has duly executed this Evidence of Transfer of Claim by its duly authorized representative dated October 2009.

LONGACRE OPPORTUNITY FUND, L.P.

By Longacre Opportunity Management, LLC

its General Partner

Name: Vladimir Jelisavcic

Title: Manager

R3 CAPITAL PARTNERS MASTER, L.P.

By Blackrock Investment Management, LLC

Its Investment Manager

Name: MICHAEL LIPTIE

Title: MO